<u>REMARKS</u>

Claims 1 – 3 are pending.

Claims 1 – 3 are under active consideration.

Claims 4 – 9 are added with entry of this amendment.

Applicant has amended claim 1 to properly recite the phrase represented by the abbreviation " GUI " in full. Support for the amendment to claim 1 is to be found in the specification at page 8, lines 14 and 20.

Applicant has amended claim 2 to claim the knowledge web of the invention being in a virtual three-dimensional environment. Support for the amendment is to be found in the specification at page 44, lines 12-13, at page 6, lines 3 and 9, at page 12, line 8-9 from bottom, at page 14, line 4, and at page 21, line 2.

Applicant has amended claim 3 to recite that the method comprises selecting a mathematical model that defines the relationship between the records in multi-dimensional space. Support for the amendment can be found in the specification at page 44, line 10 from bottom.

Applicant has introduced new claim 4, which depends from claim 1. Support for claim 4 is found in the specification at page 14, lines 4-5.

Applicant has introduced new claim 4, which depends from claim 2. Support for claim 4 is found in the specification at page 44, line 10 from bottom.

Applicant has introduced new claims 5 and 6, which depend from claim 3. Support for new claim 5 is to be found in the specification at page 12, lines 10-11. Support for new claim 6 is to be found in the specification at page 6, lines 8-10.

Applicant has introduced new claim 7, which depends from claim 1. Support for claim 7 is found in the specification at page 11, lines 3-4, and at page 11, lines 1-3 from bottom.

Applicant has introduced new claim 8, which depends from claim 2. Support for claim 8 is found in the specification at page 11, lines 3-4, and at page 11, lines 1-3 from bottom.

Applicant has introduced new claim 9, which depends from claim 3. Support for claim 9 is found in the specification at page 11, lines 3-4, and at page 11, lines 1-3 from bottom.

Applicants respectfully request consideration and entry of these amendments and new claims.

Specification

The Examiner has asked that applicant review the application and correct all informalities. Applicant has amended the specification to correct typographical errors and omissions of partial words. No new matter is entered by these amendments.

Rejections under 35 USC 102(b)

The Examiner states that Claims 1 – 3 are rejected under 102(b) as anticipated by Hugh (US Patent No. 6,166,739).

Regarding claim 1, the Examiner stated that Hugh discloses the claimed features of a GUI, the GUI comprising: a plurality of nested spherical surfaces; a plurality of nodes, the plurality of nodes comprising a first node and a second node, and each node associated with a location on at least one of the plurality of spherical surfaces; and a plurality of lines, at least one line having a first endpoint associated with the first node and a second endpoint associated with the second node.

Anticipation under 35 U.S.C. 102(b) requires the presence in a single prior art disclosure of each and every element of a claimed invention, Lewmar Marine, Inc. v. Barient, Inc., 827 F.2d 744, 747, 3 USPQ2d 1766, 1767 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Applicant respectfully draws the Examiner's attention to US Patent No. 6,166,739 at column 8, line 51, where Hugh discloses that reference character 310 (a "current central thought") is "preferably surrounded by a circle". Inspection of Figure 3 shows that reference character 310 identifies a rectangular shape. Hugh does not disclose or suggest a "spherical surface" as disclosed and claimed in the instant application. In addition, Hugh does not disclose or suggest a "sphere" or a "spherical surface".

With regard to Figure 9 of US Patent No. 6,166,739, Applicants respectfully note that the two circles identified by reference characters 310 and 914 are not "nested" as disclosed and claimed in the instant application. In addition, several of the "display/graphical icons" which the Examiner has implied as being "nodes" (Figure 9 reference characters 314, 950, and 960) are not associated with a location on any shaped object, let alone a "spherical surface" as disclosed and claimed in the instant application.

Applicant therefore respectfully submits that Hugh does not anticipate claim 1.

Regarding claim 2, the Examiner stated that Hugh discloses the claimed features of an image generated by a machine, the image having at least one virtual surface, at least one first node on the virtual surface, at least one second node on the virtual surface, at least one line having an endpoint associated with the first node and a second endpoint associated with the second node, wherein each node is linked to a curated database of records; wherein each line represents a relationship between the associated nodes; and wherein the relationships form a relational network and the relational network is a part of a knowledge web. The Examiner suggested that Applicant's term "knowledge web" is equivalent to Hugh's term "thought network" in "a web system".

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Anticipation under 35 U.S.C. 102(b) requires the presence in a single prior art disclosure of each and every element of a claimed invention, Lewmar Marine, Inc. v. Barient, Inc., 827 F.2d 744, 747, 3 USPQ2d 1766, 1767 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Applicant has amended claim 2 to include a recitation that the knowledge web of the invention is formed "in at least a three-dimensional virtual space". Support for the amendment is to be found in the specification at page 44, lines 12-13, at page 6, lines 3 and 9, at page 12, line 8-9 from bottom, at page 14, line 5, and at page 21, line 2, where Applicant disclosed that "(t)he relationship between two nodes can be determined using the inter-nodal distance in multi-dimensional space", "a point within a three dimensional model of nested spherical surfaces", "the nested spherical surfaces may represent a set of co-temporal points in space-time dimensions", "(t)he K-Web may include or be included within a fully or partially immersive three-dimensional environment GUI", and, in the Examples, that "the web appeared as a three-dimensional globular stellar cluster".

Applicant respectfully notes that Hugh teaches away from a "thought network" in a virtual three-dimensional environment by disclosing that "(p)reserving the distinctions amongst types of thought relationships permits a data management structure which at once lends itself to easy, logical navigation-like hierarchial structures and yet enjoys the *dimensionless* and unlimited flexibility of a totally associative structure." (emphasis added; see Hugh, column 9, lines 59 through 64, in particular line 63).

Applicant therefore respectfully submits that Hugh does not anticipate claim 2 as amended.

Regarding claim 3, the Examiner stated that Hugh discloses the claimed features of a method of building a knowledge web, the method comprising: assembling a plurality of records wherein the records have a plurality of individual data; linking at least one first record with at

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least one second record the records thereby having a relationship between the records through the link; selecting a mathematical model that defines the relationship; recognizing the relationship between the records; thereby building the knowledge web.

> Anticipation under 35 U.S.C. 102(b) requires the presence in a single prior art disclosure of each and every element of a claimed invention, Lewmar Marine, Inc. v. Barient, Inc., 827 F.2d 744, 747, 3 USPQ2d 1766, 1767 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988).

Applicant has amended claim 3 to include a recitation that the selected mathematical model defines the relationship between the records "in multi-dimensional space". Support for the amendment can be found in the specification at page 44, line 10 from bottom, where Applicant disclosed that "(t)he relationship between two nodes can be determined using the inter-nodal distance in multi-dimensional space as a surrogate for the parameter of the relationship".

Claim 3 as amended recites a method that includes "selecting a mathematical model that defines the relationship in multi-dimensional space" between two records. Applicant disclosed when and how such a mathematical model can be used (see specification at page 8, lines 4-5 from bottom; at page 13, lines 1-2 from bottom; at page 14, line 1 and lines 6-14; and at page 44, Example III, last paragraph).

Applicant respectfully draws the Examiner's attention to US Patent No. 6,166,739 to Hugh at Figure 2 and at column 8, lines12-21, where Hugh discloses a "relationship list" and how a "relationship list" is devised. Hugh does not disclose or suggest a mathematical model to create a list or to define relationships between nodes. Moreover, Hugh teaches away from using a mathematical model by stating "(t)he *underlying significance and semantics* of these or other categories of thought relationships is *entirely unique to the individual practitioner and user*" (emphasis added; see Hugh at column 9, lines 8-11, in particular line 9).

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Applicant therefore respectfully submits that Hugh does not anticipate claim 3 as amended.

Applicant respectfully requests that the rejection of Claims 1 – 3 under 35 USC 102(b) be withdrawn.

CONCLUSION

In light of the above amendments and remarks, Applicant submits that the present application is in a condition for allowance, and request that the Examiner withdraw the outstanding rejections.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicant invites the Examiner to contact Applicant's Agent. Should anything further be required, a telephone call to the undersigned, at (510) 537-2040, is respectfully invited.

This response is being submitted with a petition to extend the three-month shortened statutory period to respond by one (1) month. If the Commissioner finds any additional charges or fees must be paid in connection with this communication, they may be paid out of Bell & Associates Deposit Account No. 50-3194.

Respectfully submitted,

Dated: February 10th, 2005

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